

DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

(1) Name: Stephen C. Gordy  
Address: 826 Santa Paula Avenue  
Sunnyvale, California 94084  
Citizenship: United States

(2) Name: Henry D. Poelstra  
Address: 1571 Begen Avenue  
Mountain View, California 94040  
Citizenship: Canada

(3) Name: Robert W. Otis  
Address: 426 Arabian Street  
San Jose, California 95123  
Citizenship: United States

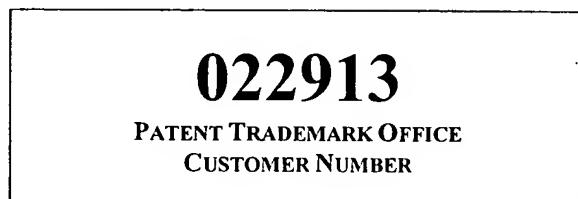
(4) Name: Thomas L. Gallatin  
Address: 1085 Harlan Drive  
San Jose, California 95129  
Citizenship: United States

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled "NETWORK TAP WITH INTEGRATED CIRCUITRY" for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, filed April 7, 2003; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



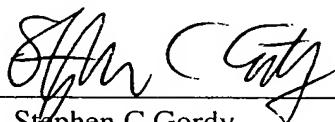
All correspondence and telephonic communications should be directed to:

R. BURNS ISRAELSEN  
WORKMAN NYDEGGER  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Dated this 29<sup>th</sup> day of October 2003.

Inventor:



Stephen C. Gordy  
826 Santa Paula Avenue  
Sunnyvale, California 94084

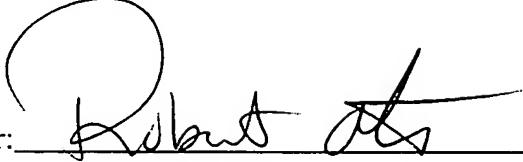
Dated this 21 day of January 2004.

Inventor:



Henry D. Poelstra  
176 Holmwood Avenue  
Ottawa, Ontario Canada K1S 2P4

Dated this 31 day of October 2003.

Inventor:   
Robert W. Otis  
426 Arabian Street  
San Jose, California 95123

Dated this 1 day of February 2004

Inventor:

Thomas Lee Gallatin

Thomas L. Gallatin  
1085 Harlan Drive  
San Jose, California 95129

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